



PTO/SB/21 (08-03)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/676,689
	Filing Date	September 30, 2003
	First Named Inventor	Andreas SCHIRMER
	Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	8+18 References	Attorney Docket Number 300622010300

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449 + copy (4 pages) Eighteen (18) references Return receipt postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Randolph Ted Apple - 36,429
Signature	
Date	April <u>1</u> , 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 1, 2004

Signature:

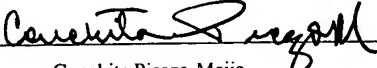
(Conchita Picazo-Mejia)



PATENT
Docket No. 300622010300

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Conchita Picazo-Mejia

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Andreas SCHIRMER et al.

Serial No.: 10/676,689

Filing Date: September 30, 2003

For: DETECTION OF MODULAR
POLYKETIDE SYNTHASE GENE
CLUSTERS

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

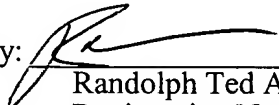
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.300622010300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: April 1, 2004

Respectfully submitted,

By: 
Randolph Ted Apple
Registration No. 36,429

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Form PTO-1449

Docket Number 300622010300

Application Number 10/676,689

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

Applicant

Andreas SCHIRMER et al.

Filing Date September 30, 2003

Group Art Unit Not Yet Assigned

Mailing Date April 1, 2004

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	03/20/2003	2003/0054353	Farnet et al.			
	2.	06/19/2003	2003/0113715	Santi			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	3.	07/26/2001	WO 01/053533	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	4.	Felsenstein, J. (1985). "Confidence Limits on Phylogenies: An Approach Using the Bootstrap," <i>Evolution</i> 39(4):783-791.
	5.	Felsenstein, J. (1988). "Phylogenies From Molecular Sequences: Inference and Reliability," <i>Annu. Rev. Genet.</i> 22:521-565.
	6.	Felsenstein, J. (1990). "Clique -Compatibility Program," PHYLIP Manual version 3.3 University of Washington, Seattle. 7 pages total.
	7.	Felsenstein, J. (1993). "Clique -Compatibility Program," PHYLIP Manual version 3.5c University of Washington, Seattle. 7 pages total.
	8.	Hein, J. (1990). "TreeAlign" Chapter 28: <i>In Methods In Molecular Biology: Computer Analysis of Sequence Data, Part II</i> . Annette M. Griffin and Hugh Griffin eds. 25:349-364.
	9.	Higgins, D. C. et al. (1996). "Using CLUSTAL For Multiple Sequence Alignments," <i>Methods Enzymol.</i> 266:383-402.
	10.	Hughey, R. et al. (1996). "Hidden Markov Models for Sequence Analysis: Extension and Analysis of the Basic Method," <i>Comp. Appl. Bios.</i> 12(2):95-107.
	11.	Lautru, S. et al. (2002). "The Albonoursin Gene Cluster of <i>S.Noursei</i> : Biosynthesis of Diketopiperazine Metabolites Independent of Nonribosomal Peptide Synthetases," <i>Chemistry & Biology</i> 9:1355-1364.
	12.	Morrison, D. A. et al. (1997). "Effects of Nucleotide Sequence Alignment on Phylogeny Estimation: A Case Study of 18S rDNAs of Apicomplexa," <i>Mol. Biol. Evol.</i> 14(4):428-441.

EXAMINER:

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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

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| 13. | Piel, J. et al. (2003). "Targeting Modular Polyketide Synthases With Iteratively Acting Acyltransferases From Metagenomes of Uncultured Bacterial Consortia," <i>Environmental Microbiology</i> pp. 1-7. |
| 14. | Rawlings, B. J. (2001). "Type I Polyketide Biosynthesis in Bacteria (Part B)," <i>Nat. Prod. Rep.</i> 18:231-281. |
| 15. | Rascher, A. et al. (2003). "Cloning and Characterization of A Gene Cluster For Geldanamycin Production in <i>Streptomyces Hygroscopicus</i> NRRL 3602," <i>FEMS Microbiology Letters</i> 218:223-230. |
| 16. | Thompson, J. D. et al. (1994). "CLUSTAL W: Improving the Sensitivity of Progressive Multiple Sequence Alignment Through Sequence Weighting, Position Specific Gap Penalties and Weight Matrix Choice," <i>Nucleic Acids Research</i> 22(22):4673-4680. |
| 17. | Wheeler, W.C. et al. (1994). "MALIGN: A Multiple Sequence Alignment Program," <i>The J. of Heredity</i> 85:417-418. |
| 18. | Wu, K. et al.(2000). "The FK520 Gene Cluster of <i>Streptomyces Hygroscopicus</i> Var. <i>Ascomyceticus</i> (ATCC 14891) Contains Genes for Biosynthesis of Unusual Polyketide Extender Units," <i>Gene</i> 251:81-90. |

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